

REMARKS

By this Amendment, applicants have amended the claims to overcome various rejections under 35 USC §112, particularly with regard to claims 1, 7 and 8.

Specifically, applicants have amended claim 1 to more clearly recite and define what is meant by maximum fragrance burst of at least 20% (i.e., perfume concentration in headspace above fragrance increases at least 20% relative to perfume concentration of headspace of undiluted product, measured as composition is diluted below critical micelle concentration.) Support for such further specific definition of perfume burst may be found, for example, at page 3, lines 27-31 and no new matter is added in this regard. Applicants have further amended claims 7 and 8 to define the formula used for calculating required PBI.

Applicants believe the amendments clearly overcome rejection of claim 1 under 35 USC §112. (i.e., fragrance burst definition has been clarified). With regard to claims 7 and 8, insertion of formula defining PBI clearly allows PBI to be calculated. Further, ensuring PBI is greater than about 3 permits the goal of changing fragrance note to be achieved as per claim 7 (i.e., ensuring PBI is at this level ensures fragrance burst will be delivered whereas this was not previously assured); and, similarly, ensuring PBI is greater than about 3 ensures that fragrance will be introduced upon dilution as per claim 8 whereas, again, this would not have been previously assured.

With regard to claim 9, the 0.0001 wt. to wt. CMC is just one preferred example of CMC. However, of course, if formula for PBI does not permit composition with PBI greater than about 3, the burst will not be accomplished. Thus, it must still be ensured

that oil/water partition coefficient and volatility constant of desired perfume are selected so that, in interacting with surfactant system(s) of defined CMC, the PBI is maintained at defined minimum level.

Finally, with regard to the obviousness-double patenting rejection over copending application No. US 10/085,736 and/or US 10/085,721, applicants enclose a Terminal Disclaimer terminally disclaiming that portion of any patent that should issue on the claims of the subject application which would expire beyond the term of any claim which should issue on either 10/085,736 and/or 10/085,721.

In view of the Amendments and discussion above, including submission of Terminal Disclaimer, it is respectfully requested that the Examiner reconsider and withdraw all rejection of the claim and that claim of the application, as amended, be allowed.

If a telephone conversation would be of assistance in advancing prosecution of the subject application, applicants' undersigned attorney invites the Examiner to telephone him at the number provided.



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